

2009 DRAFTING REQUEST**Bill**Received: **10/01/2008**Received By: **jkuesel**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Rhodes**This file may be shown to any legislator: **NO**Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous
Higher Education - UW System**Extra Copies: **PG - 1**Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **jennifer.kraus@doa.state.wi.us**

Pre Topic:

DOA:.....Rhodes, BB0149 -

Topic:

Sale of UW buildings, structures, and land

Instructions:

Per attached E mail, 9/30/08.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 10/07/2008	kfollett 10/14/2008		_____			State
/1			phenry 10/15/2008	_____	lparisi 10/15/2008		State
/2	jkuesel 02/02/2009	kfollett 02/02/2009	rschluet 02/02/2009	_____	mbarman 02/02/2009		

FE Sent For:

<END>

DRAFT on 2

LRB-0481

10/15/2008 09:53:22 AM

Page 1

2009 DRAFTING REQUEST

Bill

Received: **10/01/2008**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2843**

By/Representing: **Rhodes**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous
Higher Education - UW System**

Extra Copies: **PG - 1**

Submit via email: **NO**

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/?	jkuesel 10/07/2008	kfollett 10/14/2008					State
/1	jkuesel 2/2/09	12kf 2/2	phenry 10/15/2008		lparisi 10/15/2008		

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<END>

2009 DRAFTING REQUEST**Bill**Received: **10/01/2008**Received By: **jkuesel**Wanted: **As time permits**

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Higher Education - UW System**Extra Copies: **PG - 1**Submit via email: **NO**

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1/1	jkuesel 10/1/08	11/15/08 10/1/08	10/15/08 pl	10/15/08 pl			

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: RETENTION OF PROCEEDS FROM THE SALE OF PROGRAM REVENUE OR GIFT BUILDINGS AND LAND
- Tracking Code: BB0149
- SBO team: Education, Children & Families
- SBO analyst: Dennis Rhodes
 - Phone: 266-2843
 - Email: Dennis.Rhodes@Wisconsin.gov
- Agency acronym: UWS
- Agency number: 285
- Priority (Low, Medium, High): Medium

Intent:

RETENTION OF PROCEEDS FROM THE SALE OF PROGRAM REVENUE OR GIFT BUILDINGS AND LAND

13.48(14)(a) The proceeds from the sale of state buildings or state land are credited to the Joint Committee on Finance's supplemental appropriation established in s. 20.865(4)(a), Wis. Stats. Under s. 13.101(13)(b), Wis. Stats., if the building or land was used by a single agency, the Joint Committee on Finance may, upon request of the agency, transfer no more than half of the proceeds back to the agency. The UW System was given an exemption from these statutes in both the 2005-07 and 2007-09 biennia. The current exemption will end on June 30, 2009.

Many parcels of land held by the Board of Regents were received as gifts or purchased using campus funds, such as parking revenues or student user fees. The Board of Regents seeks authority to retain and reinvest all of the proceeds from the sale of buildings or land acquired or built with program revenue or donated funds. Without a statutory change, if the UW System were to sell a facility funded through program revenue, it would lose its initial investment, adversely affecting the budget of the related auxiliary. If the UW System were to sell gift property, it would lose the value of the donor's gift. It is logical that the proceeds from the sale of such properties be retained to be used to support university programs, preventive building maintenance and other operating costs.

Grant, Peter

From: Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]
Sent: Tuesday, September 30, 2008 12:59 PM
To: Grant, Peter
Subject: RE: UW PR buildings

Peter,

I have the following from the UW. Let me know if it helps.

Thanks,

Dennis

>>Dennis,

I apologize for that oversight. We are looking for is a change to section 13.48(14)(a), Wis. Stats., to permanently remove/exempt the UW System from this section. Act 20 of 2007 granted UW System an exemption through June 30, 2009, and we'd like it to be permanent. We're basically looking for something like this:

13.48(14)(a)

(a) In this subsection, "agency" has the meaning given for "state agency" in s. 20.001 (1), except that the term does not include the Board of Regents of the University of Wisconsin System.<<

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Tuesday, September 30, 2008 10:24 AM
To: Rhodes, Dennis - DOA
Subject: RE: UW PR buildings

Dennis, that section of the statutes was repealed by Act 25, Laws of 2005 (the 2005-07 biennial budget act). Section 13.48 (14) (a) has the exemption from "agency" for the UW for the purposes of that section, but I'm not sure I understand how that section is relevant to the UW's objective with this draft.

Peter

From: Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]
Sent: Tuesday, September 30, 2008 9:59 AM
To: Grant, Peter
Subject: UW PR buildings

Peter,

Is the following not what they are talking about? I apologize if I misunderstood your question.

13.101(13)(b)



(b) If the building, structure or land was used by a single agency, as defined in s. 13.48 (14) (a), the committee may, upon request of that agency, transfer not more than 50% of the moneys so credited to any appropriation account of that agency, other than a sum sufficient appropriation account, without finding that an emergency exists under sub. (3) (a) 1. Upon such transfer, the amounts in the schedule for any sum certain appropriation to the agency from the account to which a transfer is made are increased by the amount transferred during the fiscal year or biennium for which the appropriation is made.

09/30/2008

LPS: fix
request
street
pls.

Date (time)
needed

Seen

LRB- 0481 / 1

JTK: kf:

DOA BUDGET DRAFT

Use the appropriate components and routines developed for bills.

>>FOR BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget. Sale of

Don't Gen
buildings, structures, and land by the Board of Regents of
the University of Wisconsin system and making appropriations

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0481/7

JTK...*jf*

DOA:.....Rhodes, BB0149 - Sale of UW buildings, structures, and land

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

EDUCATION
HIGHER EDUCATION

1 AN ACT ..., relating to: ?

Analysis by the Legislative Reference Bureau

Currently, the proceeds of sales of real property by the Board of Regents of the University of Wisconsin (UW) System are appropriated for various purposes. However, with certain exceptions, the net proceeds of sales during the period beginning on October 27, 2007, and ending on June 30, 2009, must be used for the operation of the UW system.

This bill imposes the same requirement for the use of the net proceeds of any sales of real property by the Board of Regents that occur during the period beginning on the day the bill becomes law, subject to the same exceptions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 13.48 (14) (a) of the statutes is amended to read:

3 13.48 (14) (a) In this subsection, "agency" has the meaning given for "state

4 agency" in s. 20.001 (1), except that during the period prior to July 1, 2007, and the

1 period beginning on October 27, 2007, and ending on June 30, 2009, and the period
2 beginning on the effective date of this paragraph... [LRB inserts date], the term does
3 not include the Board of Regents of the University of Wisconsin System.

History: 1971 c. 125; 1973 c. 90; 1973 c. 243 s. 82; 1973 c. 335 s. 13; 1975 c. 39, 40, 198, 199; 1977 c. 26; 1977 c. 29 ss. 7, 8r, 1654 (8) (c); 1977 c. 325; 1977 c. 418 ss. 5, 5m, 924 (18) (c); 1979 c. 34, 221, 350; 1981 c. 341; 1983 a. 27 ss. 11 to 12n, 2202 (5); 1983 a. 36 ss. 18 to 20, 96 (3); 1983 a. 207; 1985 a. 29, 120; 1987 a. 27, 186, 395, 399; 1989 a. 31, 366; 1991 a. 39, 269, 315; 1993 a. 16, 288, 414; 1995 a. 27, 216, 225, 227; 1997 a. 5, 27, 35, 237; 1999 a. 9; 1999 a. 150 s. 672; 1999 a. 197; 2001 a. 16, 103; 2003 a. 33 ss. 25 to 26i, 9160; 2003 a. 91; 2005 a. 25, 253, 391; 2007 a. 20.

4 **SECTION 2. 20.285 (1) (h) of the statutes is amended to read:**

5 20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (5) (i) and
6 (6) (g), all moneys received by the University of Wisconsin System for or on account
7 of any housing facility, commons, dining halls, cafeteria, student union, athletic
8 activities, stationery stand or bookstore, parking facilities or car fleet, or such other
9 auxiliary enterprise activities as the board designates and including such fee
10 revenues as allocated by the board and including such moneys received under leases
11 entered into previously with nonprofit building corporations as the board designates
12 to be receipts under this paragraph, but not including any moneys received from the
13 sale of real property during the period before July 1, 2007, and the period beginning
14 on October 27, 2007, and ending on June 30, 2009, and the period beginning on the
15 effective date of this paragraph... [LRB inserts date] to be used for the operation,
16 maintenance, and capital expenditures of activities specified in this paragraph,
17 including the transfer of funds to pars. (kd) and (ke), and to nonprofit building
18 corporations to be used by the corporations for the retirement of existing
19 indebtedness and such other payments as may be required under existing loan
20 agreements, for optional rental payments in addition to the mandatory rental
21 payments under the leases and subleases in connection with the providing of
22 facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate
23 account shall be maintained for each campus and extension. Upon the request of the

1 extension or any campus within the system, the board of regents may transfer
2 surplus moneys appropriated under this paragraph to the appropriation account
3 under par. (kp).

History: 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 125, 215, 236; 1971 c. 323 s. 27; 1973 c. 90, 301, 333, 340; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198 s. 63; 1975 c. 224; 1977 c. 29; 1977 c. 418 ss. 91 to 92, 924 (50), 929 (55); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27 ss. 213 to 215m, 2202 (20); 1983 a. 237; 1983 a. 333 s. 6; 1985 a. 29, 120, 339; 1987 a. 27, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 269, 335, 353; 1991 a. 39, 167, 269; 1993 a. 16, 455; 1995 a. 27 ss. 600m to 615m, 1080b, 1085b, 1086b; 1995 a. 227, 228; 1997 a. 27 s. 257m, 263m, 271 to 281; 1997 a. 237, 252; 1999 a. 9, 32, 107; 1999 a. 150 s. 672; 2001 a. 16, 103, 109; 2003 a. 33, 176, 321; 2005 a. 25, 460; 2007 a. 20 ss. 248m to 262, 9121 (6) (a).

4 **SECTION 3.** 20.285 (1) (iz) of the statutes is amended to read:

5 20.285 (1) (iz) *General operations receipts.* All moneys received for or on
6 account of the University of Wisconsin System, unless otherwise specifically
7 appropriated, including all moneys received from the sale of real property during the
8 ~~period prior to July 1, 2007, and the period beginning on October 27, 2007, and~~
9 ~~ending on June 30, 2009, and the period beginning on the effective date of this~~
10 ~~paragraph.~~ [LRB inserts date], to be used for general operations. In fiscal years
11 2007-08, 2008-09, 2009-10, and 2010-11, the board shall annually transfer
12 \$15,000,000 from this appropriation account to the medical assistance trust fund.

History: 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 125, 215, 236; 1971 c. 323 s. 27; 1973 c. 90, 301, 333, 340; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198 s. 63; 1975 c. 224; 1977 c. 29; 1977 c. 418 ss. 91 to 92, 924 (50), 929 (55); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27 ss. 213 to 215m, 2202 (20); 1983 a. 237; 1983 a. 333 s. 6; 1985 a. 29, 120, 339; 1987 a. 27, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 269, 335, 353; 1991 a. 39, 167, 269; 1993 a. 16, 455; 1995 a. 27 ss. 600m to 615m, 1080b, 1085b, 1086b; 1995 a. 227, 228; 1997 a. 27 s. 257m, 263m, 271 to 281; 1997 a. 237, 252; 1999 a. 9, 32, 107; 1999 a. 150 s. 672; 2001 a. 16, 103, 109; 2003 a. 33, 176, 321; 2005 a. 25, 460; 2007 a. 20 ss. 248m to 262, 9121 (6) (a).

13 **SECTION 4.** 20.285 (1) (j) of the statutes is amended to read:

14 20.285 (1) (j) *Gifts and donations.* All moneys received from gifts, grants,
15 bequests and devises, except moneys received from the sale of real property during
16 ~~the period before July 1, 2007, and the period beginning on October 27, 2007, and~~
17 ~~ending on June 30, 2009, and the period beginning on the effective date of this~~
18 ~~paragraph.~~ [LRB inserts date], to be administered and expended in accordance with
19 the terms of the gift, grant, bequest or devise to carry out the purposes for which
20 made and received.

History: 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 125, 215, 236; 1971 c. 323 s. 27; 1973 c. 90, 301, 333, 340; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198 s. 63; 1975 c. 224; 1977 c. 29; 1977 c. 418 ss. 91 to 92, 924 (50), 929 (55); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27 ss. 213 to 215m, 2202 (20); 1983 a. 237; 1983 a. 333 s. 6; 1985 a. 29, 120, 339; 1987 a. 27, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 269, 335, 353; 1991 a. 39, 167, 269; 1993 a. 16, 455; 1995 a. 27 ss. 600m to 615m, 1080b, 1085b, 1086b; 1995 a. 227, 228; 1997 a. 27 s. 257m, 263m, 271 to 281; 1997 a. 237, 252; 1999 a. 9, 32, 107; 1999 a. 150 s. 672; 2001 a. 16, 103, 109; 2003 a. 33, 176, 321; 2005 a. 25, 460; 2007 a. 20 ss. 248m to 262, 9121 (6) (a).

SECTION 5. 20.285 (1) (ka) of the statutes is amended to read:

20.285 (1) (ka) *Sale of real property.* All net proceeds from the sale of real property by the board under s. 36.34, 1969 stats., and s. 36.33, except net proceeds received during the period before July 1, 2007, and the period beginning on October 27, 2007, and ending on June 30, 2009, and the period beginning on the effective date of this paragraph [LRB inserts date] ² to be used for the purposes of s. 36.34, 1969 stats., and s. 36.33, including the expenses enumerated in s. 13.48 (2) (d) incurred in selling the real property under those sections.

History: 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 125, 215, 236; 1971 c. 323 s. 27; 1973 c. 90, 301, 333, 340; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198 s. 63; 1975 c. 224; 1977 c. 29; 1977 c. 418 ss. 91 to 92, 924 (50), 929 (55); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27 ss. 213 to 215m, 2202 (20); 1983 a. 237; 1983 a. 333 s. 6; 1985 a. 29, 120, 339; 1987 a. 27, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 269, 335, 353; 1991 a. 39, 167, 269; 1993 a. 16, 455; 1995 a. 27 ss. 600m to 615m, 1080b, 1085b, 1086b; 1995 a. 227, 228; 1997 a. 27 s. 257m, 263m, 271 to 281; 1997 a. 237, 252; 1999 a. 9, 32, 107; 1999 a. 150 s. 672; 2001 a. 16, 103, 109; 2003 a. 33, 176, 321; 2005 a. 25, 460; 2007 a. 20 ss. 248m to 262, 9121 (6) (a).

SECTION 6. 2005 Wisconsin Act 25, section 9152 (5) (b), as affected by 2007

Wisconsin Act 20, section 3937, is renumbered 36.335 and amended to read:

36.335 (title) Sale of other land; buildings and structures.

(END)

- of the statutes

insert
4-11
here

12
Insert
4-4

from LPS:
07 Act 20

insert 4-11

07 Wis. Act 20, s. 3937 - continued
[2005 Wisconsin Act 25] Section 9152

(5) **SALE OF REAL PROPERTY.** If the

Board of Regents of the University of Wisconsin System sells any real property under its jurisdiction during the period prior to July 1, 2007, and the period beginning on the effective date of this subsection and ending on June 30,

2009, the board shall credit the net proceeds of the sale to the appropriation account under section 20.285 (1) (iz) of the statutes, as affected by this act, except that if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold, the board shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under section 18.09 of the statutes to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was acquired, constructed, or improved with federal financial assistance, the board shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the board shall adhere to any restriction governing use of the proceeds.

Except as provided in s. 36.33, if

plain

plain

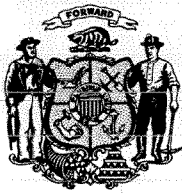
October 27, 2007,

S.

S.

and the period beginning on the effective date of this section

D...A [LBB inserts date]



DOA:.....Rhodes, BB0149 - Sale of UW buildings, structures, and land

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

- 1 AN ACT ...; **relating to:** sale of buildings, structures, and land by the Board of
- 2 Regents of the University of Wisconsin System and making appropriations.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

Currently, the proceeds of sales of real property by the Board of Regents of the UW System are appropriated for various purposes. However, with certain exceptions, the net proceeds of sales during the period beginning on October 27, 2007, and ending on June 30, 2009, must be used for the operation of the UW System.

This bill imposes the same requirement for the use of the net proceeds of any sales of real property by the Board of Regents that occur during the period beginning on the day the bill becomes law, subject to the same exceptions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **SECTION 1.** 13.48 (14) (a) of the statutes is amended to read:

1 13.48 (14) (a) In this subsection, "agency" has the meaning given for "state
2 agency" in s. 20.001 (1), except that during the period prior to July 1, 2007, and the
3 period beginning on October 27, 2007, and ending on June 30, 2009, and the period
4 beginning on the effective date of this paragraph [LRB inserts date], the term does
5 not include the Board of Regents of the University of Wisconsin System.

6 ~~SECTION 2. 20.285 (1) (h) of the statutes is amended to read:~~

7 20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (5) (i) and
8 (6) (g), all moneys received by the University of Wisconsin System for or on account
9 of any housing facility, commons, dining halls, cafeteria, student union, athletic
10 activities, stationery stand or bookstore, parking facilities or car fleet, or such other
11 auxiliary enterprise activities as the board designates and including such fee
12 revenues as allocated by the board and including such moneys received under leases
13 entered into previously with nonprofit building corporations as the board designates
14 to be receipts under this paragraph, but not including any moneys received from the
15 sale of real property during the period before July 1, 2007, and the period beginning
16 on October 27, 2007, and ending on June 30, 2009, and the period beginning on the
17 effective date of this paragraph [LRB inserts date], to be used for the operation,
18 maintenance, and capital expenditures of activities specified in this paragraph,
19 including the transfer of funds to pars. (kd) and (ke), and to nonprofit building
20 corporations to be used by the corporations for the retirement of existing
21 indebtedness and such other payments as may be required under existing loan
22 agreements, for optional rental payments in addition to the mandatory rental
23 payments under the leases and subleases in connection with the providing of
24 facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate
25 account shall be maintained for each campus and extension. Upon the request of the

1 extension or any campus within the system, the board of regents may transfer
2 surplus moneys appropriated under this paragraph to the appropriation account
3 under par. (kp).

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8 period prior to July 1, 2007, and the period beginning on October 27, 2007, and
9 ending on June 30, 2009, and the period beginning on the effective date of this
10 paragraph [LRB inserts date], to be used for general operations. In fiscal years
11 2007-08, 2008-09, 2009-10, and 2010-11, the board shall annually transfer
12 \$15,000,000 from this appropriation account to the medical assistance trust fund.

13 **SECTION 4.** 20.285 (1) (j) of the statutes is amended to read:

14 20.285 (1) (j) *Gifts and donations.* All moneys received from gifts, grants,
15 bequests and devises, except moneys received from the sale of real property during
16 the period before July 1, 2007, and the period beginning on October 27, 2007, and
17 ending on June 30, 2009, and the period beginning on the effective date of this
18 paragraph [LRB inserts date], to be administered and expended in accordance
19 with the terms of the gift, grant, bequest or devise to carry out the purposes for which
20 made and received.

21 **SECTION 5.** 20.285 (1) (ka) of the statutes is amended to read:

22 20.285 (1) (ka) *Sale of real property.* All net proceeds from the sale of real
23 property by the board under s. 36.34, 1969 stats., and s. 36.33, except net proceeds
24 received during the period before July 1, 2007, and the period beginning on October
25 27, 2007, and ending on June 30, 2009, and the period beginning on the effective date

1 of this paragraph [LRB inserts date], to be used for the purposes of s. 36.34, 1969
2 stats., and s. 36.33, including the expenses enumerated in s. 13.48 (2) (d) incurred
3 in selling the real property under those sections.

4 SECTION 6. 2005 Wisconsin Act 25, section 9152 (5), as ^{last} affected by 2007
5 Wisconsin Act 20, section 3937, is renumbered 36.335 of the statutes and amended
6 to read:

7 **36.335 Sale of real property other land; buildings and structures.** If
8 Except as provided in s. 36.33, if the Board of Regents of the University of Wisconsin
9 System sells any real property under its jurisdiction during the period prior to July
10 1, 2007, and the period beginning on the effective date of this subsection October 27,
11 2007, and ending on June 30, 2009, and the period beginning on the effective date
12 of this section [LRB inserts date], the board shall credit the net proceeds of the
13 sale to the appropriation account under section s. 20.285 (1) (iz) of the statutes, as
14 affected by this act, except that if there is any outstanding public debt used to finance
15 the acquisition, construction, or improvement of any property that is sold, the board
16 shall deposit a sufficient amount of the net proceeds from the sale of the property in
17 the bond security and redemption fund under section s. 18.09 of the statutes to repay
18 the principal and pay the interest on the debt, and any premium due upon refunding
19 any of the debt. If the property was acquired, constructed, or improved with federal
20 financial assistance, the board shall pay to the federal government any of the net
21 proceeds required by federal law. If the property was acquired by gift or grant or
22 acquired with gift or grant funds, the board shall adhere to any restriction governing
23 use of the proceeds.

24 (END)

D- Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0481/2dn

JTK.....
[Signature]

Date

Dennis Rhodes/ Jennifer Kraus:

This draft reconciles LRB-0481/1, LRB-1293/2, LRB-1430/3, and LRB-1771/2. This draft, along with LRB-1293/3, LRB-1430/4, and LRB-1771/3, should continue to appear in the compiled bill.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0481/2dn
JTK:kjfrs

February 2, 2009

Dennis Rhodes/ Jennifer Kraus:

This draft reconciles LRB-0481/1, LRB-1293/1, LRB-1430/1, and LRB-1771/1. This draft, along with LRB-1293, LRB-1430, and LRB-1771, should continue to appear in the compiled bill.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0481/2

JTK:kjf:rs

DOA:.....Rhodes, BB0149 - Sale of UW buildings, structures, and land

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

- 1 **AN ACT ...; relating to:** sale of buildings, structures, and land by the Board of
2 Regents of the University of Wisconsin System and making appropriations.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

Currently, the proceeds of sales of real property by the Board of Regents of the UW System are appropriated for various purposes. However, with certain exceptions, the net proceeds of sales during the period beginning on October 27, 2007, and ending on June 30, 2009, must be used for the operation of the UW System.

This bill imposes the same requirement for the use of the net proceeds of any sales of real property by the Board of Regents that occur during the period beginning on the day the bill becomes law, subject to the same exceptions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **SECTION 1.** 13.48 (14) (a) of the statutes is amended to read:

1 13.48 (14) (a) In this subsection, "agency" has the meaning given for "state
2 agency" in s. 20.001 (1), except that during the ~~period prior to July 1, 2007, and the~~
3 period beginning on October 27, 2007, and ending on June 30, 2009, and the period
4 beginning on the effective date of this paragraph [LRB inserts date], the term does
5 not include the Board of Regents of the University of Wisconsin System.

6 **SECTION 2.** 20.285 (1) (j) of the statutes is amended to read:

7 20.285 (1) (j) *Gifts and donations.* All moneys received from gifts, grants,
8 bequests and devises, except moneys received from the sale of real property during
9 the ~~period before July 1, 2007, and the period beginning on October 27, 2007, and~~
10 ending on June 30, 2009, and the period beginning on the effective date of this
11 paragraph [LRB inserts date], to be administered and expended in accordance
12 with the terms of the gift, grant, bequest or devise to carry out the purposes for which
13 made and received.

14 **SECTION 3.** 20.285 (1) (ka) of the statutes is amended to read:

15 20.285 (1) (ka) *Sale of real property.* All net proceeds from the sale of real
16 property by the board under s. 36.34, 1969 stats., and s. 36.33, except net proceeds
17 received during the ~~period before July 1, 2007, and the period beginning on October~~
18 27, 2007, and ending on June 30, 2009, and the period beginning on the effective date
19 of this paragraph [LRB inserts date], to be used for the purposes of s. 36.34, 1969
20 stats., and s. 36.33, including the expenses enumerated in s. 13.48 (2) (d) incurred
21 in selling the real property under those sections.

22 **SECTION 4.** 2005 Wisconsin Act 25, section 9152 (5), as last affected by 2007
23 Wisconsin Act 20, section 3937, is renumbered 36.335 of the statutes and amended
24 to read:

36.335 Sale of real property other land; buildings and structures. If Except as provided in s. 36.33, if the Board of Regents of the University of Wisconsin System sells any real property under its jurisdiction during ~~the period prior to July 1, 2007, and the period beginning on the effective date of this subsection~~ October 27, 2007, and ending on June 30, 2009, and the period beginning on the effective date of this section [LRB inserts date], the board shall credit the net proceeds of the sale to the appropriation account under ~~section s. 20.285 (1) (iz) of the statutes, as affected by this act,~~ except that if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold, the board shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under ~~section s. 18.09 of the statutes to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt.~~ If the property was acquired, constructed, or improved with federal financial assistance, the board shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the board shall adhere to any restriction governing use of the proceeds.

(END)